

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow. Claims 1, 2, 4, 6-10, and 31-46 are pending in this application.

Applicants thank the Examiner for withdrawing the previous rejection.

I. Rejection of Claims 1 - 2, 4, 6 - 10, 32-39, 41, 43, and 45 under 35 U.S.C. § 103(a)

Claims 1 - 2, 4, 6 - 10, 32-39, 41, 43, and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Sheriff *et al.* (US 2002/0065564) in view of Lappetelainen *et al.* (US 7,072,697), hereinafter referred to as Sheriff and Lappetelainen. Applicants respectfully traverse the rejection.

On page 2 of the Office Action, the Examiner indicates that a “new ground(s) of rejection is made in view of different interpretation of Lappetelainen.” The Examiner states:

Lappetelainen teaches a Bluetooth system (Column 2 lines 21 - 25, lines 37 - 42) in which a portable device comprises a wireless receiver subsystem comprising a wireless receiver and an antenna associated with the wireless receiver (Figure 15, Columns 9 lines 36 - 41, 12 lines 33 - 36, 13 lines 45 - 50, in order for the RF energy to be extracted by the detector said detector must have receiving capability thus the detector is the receiver, the antenna (92) is associated with said detector), and a wireless transceiver subsystem, in communication with the wireless receiver subsystem, the wireless transceiver subsystem comprising a wireless transceiver, wherein the wireless receiver subsystem responds to the signal when received by the wireless receiver to cause the wireless transceiver subsystem to transition from a standby state to an active state (Figures 6, 15, Columns 10 lines 1 - 30, lines 45 - 59, 12 lines 33 - 46, lines 58 - 62, 13 lines 45 - 50, power is applied to the Rx/Tx block when energy of another active device, that is in close proximity, is extracted, this causes the portable device to transition from a wake/idle mode to a fully operative power mode for the transmission of advertisement messages) and wherein the wireless transceiver subsystem consumes less power in the standby state than in the active state (Columns 10 lines 1 - 30, lines 45 - 59, the idle mode consumes less power than the fully operative power mode).

(Emphasis added.) As such, it appears that the Examiner's "different interpretation of Lappetelainen" is that the detector of Fig. 15 is a receiver because, according to the Examiner, "in order for the RF energy to be extracted by the detector said detector must have receiving capability thus the detector is the receiver." (Office Action, page 2.) Applicants respectfully point out that, even accepting this new interpretation, Lappetelainen fails to show the claimed elements.

Col. 12, lines 65-66 of Lappetelainen identifies 136 as a "detector." Fig. 15 labels 136 as a RF-to-DC converter. A converter or detector may *receive* signals or energy **but the ability to receive does not make the converter or detector an antenna.** Lappetelainen involves a *single antenna system*. It does not describe both "a first antenna associated with the wireless receiver" and "a second antenna associated with the wireless transceiver," as recited in Claim 1. Claim 1 is directed to a system having a portable device which comprises:

a wireless receiver subsystem comprising a wireless receiver
and a first antenna associated with the wireless receiver; and

a wireless transceiver subsystem in communication with the
wireless receiver subsystem, the wireless transceiver subsystem
comprising a wireless transceiver and a second antenna
associated with the wireless transceiver;

(emphasis added.) Col. 13, lines 45-50 of Lappetelainen indicates that power is saved in "a short range radio" by waking the battery 138 with energy "extracted from the RF field of another active device that is brought to the vicinity of the low power device." As shown in Fig. 15, the device receives RF field energy at antenna 92 and, when the timer 122 indicates that it is time to transition to an "active mode," power management block 139 switches antenna 92 to couple with Rx/Tx block 110 using switch 98. Only one antenna is used. Sensors 126 and 128 are in an idle state until after antenna 98 receives RF field energy. (See Col. 13, lines 37-38.) Fig. 15 shown below clearly shows a single antenna.

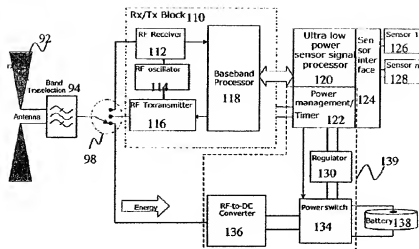


Fig. 15

Despite the Examiner's new interpretation of Lappetelainen, the combination of Sheriff and Lappetelainen still fails to show all of the elements of the rejected claims. The combination of Sheriff and Lappetelainen fails to disclose, teach or suggest a portable device having both a wireless receiver with a first antenna and a wireless transceiver having a second antenna where the wireless receiver responds to a signal received at the first antenna to cause the wireless transceiver to actively perform content synchronization via the second antenna.

For at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection.

II. Rejection of Claim 31 under 35 U.S.C. § 103(a)

Claim 31 is rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claim 1, and further in view of Karaoguz et al. (US 2004/0029621, hereinafter Karaoguz). Applicants respectfully traverse the rejection.

Claim 31 depends from Claim 1. As discussed above, the combination of Sheriff and Lappetelainen fails to disclose all of the elements of Claim 1. Likewise, Karaoguz fails to

disclose a portable device having both a wireless receiver with a first antenna and a wireless transceiver having a second antenna where the wireless receiver responds to a signal received at the first antenna to cause the wireless transceiver to actively perform content synchronization via the second antenna. Thus, the combination of Sheriff, Lappetelainen and Karaoguz does not disclose all of the elements of Claim 1 or Claim 31, which depends from Claim 1.

Applicants respectfully request withdrawal of the rejection of Claim 31.

III. Rejection of Claims 40 and 44 under 35 U.S.C. § 103(a)

Claims 40 and 44 are rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claims 37 and 43, and further in view of Allen et al. (5,812,942, hereinafter Allen). Applicants respectfully traverse the rejection.

Like Sheriff and Lappetelainen, Allen fails to disclose a portable device having both a wireless receiver with a first antenna and a wireless transceiver having a second antenna where the wireless receiver responds to a signal received at the first antenna to cause the wireless transceiver to actively perform content synchronization via the second antenna. Thus, the combination of Sheriff, Lappetelainen and Allen does not disclose all of the elements of Claims 40 and 44.

Applicants respectfully request withdrawal of the rejection of Claims 40 and 44.

III. Rejection of Claims 40 and 44 under 35 U.S.C. § 103(a)

Claims 42 and 46 are rejected under 35 U.S.C. 103(a) over Sheriff in view of Lappetelainen as applied to Claims 37 and 43, and further in view of Linnartz (US 2002/0066018, hereinafter Linnartz). Applicants respectfully traverse the rejection.

Like Sheriff and Lappetelainen, Linnartz fails to disclose a portable device having both a wireless receiver with a first antenna and a wireless transceiver having a second antenna where the wireless receiver responds to a signal received at the first antenna to cause the wireless transceiver to actively perform content synchronization via the second antenna.

Thus, the combination of Sheriff, Lappetelainen and Linnartz does not disclose all of the elements of Claims 42 and 46.

Applicants respectfully request withdrawal of the rejection of Claims 42 and 46.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extension of time is needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fee to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 11, 2010

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

By 

Paul S. Hunter
Attorney for Applicant
Registration No. 44,787